



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH, DEVELOPMENT AND ACQUISITION
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

MAR 27 2002

MEMORANDUM FOR DISTRIBUTION

Subj: JUSTIFICATION AND APPROVALS FOR OTHER THAN FULL AND OPEN
COMPETITION

Ref: (a) FAR 6.303-2
(b) DFARS 206.303-2
(c) NAPS 5206.303-2

Encl: (1) J&A Areas of Concern and Additional Information
Requirements
(2) ABM Program Analysts

At the most recent Navy Contracting Council meeting, the subject of Justification and Approvals (J&As) submitted to ABM for approval by ASN(RDA) was briefly discussed. As noted at that time, ABM is aware that the OASN(RDA) processing time for J&As has increased in recent months. To reverse this trend, we solicit your assistance.

To obtain ASN(RDA) approval, ABM must forward to Mr. Young a package that includes (1) a J&A that addresses all required information; (2) supporting program planning documentation; and (3) additional information concerning the planned procurement that either Mr. Young has indicated he needs included with every J&A package or that answers questions Mr. Young is likely to have. J&A content requirements are set forth in references (a), (b), and (c). Required supporting documentation, which must be current and consistent with information in the J&A, is also specified in reference (c).

Frequently, ABM receives J&As packages that are not complete. For example, J&As often do not contain required information, such as delivery requirements or funding identification. In a number of cases, the J&A package lacks supporting documentation or contains supporting documentation that is inconsistent with the information included in the J&A. Additionally, Mr. Young has now requested a description of the pricing and incentive arrangements planned for the contracts covered by J&As approved at the RDA level. In all of these situations, effort to obtain additional required information increases the time required to process J&As.

SENT BY ASN(RDA)/ABM TO

To decrease the frequency of ABM requests for revisions and additional information and compress the processing of J&As, please ensure your contracting officers/contract specialists include the additional pricing and incentive information that ASN(RDA) requires in the memorandum they use to forward J&As to ABM. Additionally, please ensure that all J&A packages are checked for completeness. Enclosure (1) identifies some of the key areas where we have seen problems in J&As. It also lists the additional information and documentation that should be provided with J&As submitted for ASN(RDA) approval.

If any of your employees would like to have an advance copy of a J&A reviewed, which we encourage, or to ask questions specific to a J&A being processed by ABM, enclosure (2) provides a list of our Program Support Division analysts and the commands they generally support.

VR

Bob Cowley

R. E. Cowley
RDML, SC, USN
Deputy for Acquisition and
Business Management

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J&A AREAS OF CONCERN AND ADDITIONAL INFORMATION REQUIREMENTS

I. Content of J&As*

- A clear description of the supplies or services required to meet the agency's needs (i.e., clear and thorough description of what the activity intends to acquire under the resulting contractual action(s)).
- Any other facts supporting the use of other than full and open competition, such as:
 - Explanations of why technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for full and open competition have not been developed or are not available.
 - For follow-on acquisitions, an estimate of the cost to the Government that would be duplicated and how the estimate was derived.

If unusual and compelling urgency is cited, data, estimated cost, or other rationale as to the extent and nature of the harm to the Government.

- A listing of sources that expressed in writing an interest in the acquisition and the bases for determining they are not viable competitors.
- A statement of delivery requirements.
- The total estimated dollar value for the acquisition by fiscal year and appropriation.

II. Additional Submission Requirements

- Copy of the most recent J&A, if approved locally, or the control number of the most recent J&A, if approved by the Navy Senior Procurement Executive.

* J&As prepared for ASN(RDA) approval should generally assume the reader knows little, if anything, about the program. Thus, program-unique acronyms should be avoided and the rationale for any conclusions presented should be fully developed.

- A forwarding memorandum that identifies and explains:
- Any discrepancies between information in the most recent prior J&A and the current J&A; particularly, with respect to plans for follow-on competition.
 - Any discrepancies between information in the planning document and the J&A, such as differences in unit quantities, differences in estimated costs, differences in planned contract type, etc.
 - The anticipated contract type (if not included in the J&A).
 - Any planned incentive arrangements for improving contractor performance, including any sharelines, ceilings, performance incentives, award fees, escalation provisions, anticipated profit/fee ranges, or other pricing arrangements.

Enclosure (1)